



U.S. Department of Justice

United States
Southern District of New York86 Chambers
New York, New York

January 10, 2025

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By ECF

Hon. Stewart D. Aaron
 United States Magistrate Judge
 United States Courthouse
 500 Pearl Street
 New York, NY 10007

Re: *Lasean Goode v. United States of America, et al.*, No. 24 Civ. 2054 (DLC) (SDA)

Dear Judge Aaron:

This Office represents the United States of America, MDC Brooklyn Warden, FCI Danbury Warden, and FCI Allenwood Warden (collectively, the “Government”) in the above-referenced action brought by Plaintiff Lasean Goode (“Plaintiff”) pursuant to the Federal Tort Claims Act. I write respectfully to request that the settlement conference currently scheduled for January 21, 2025, be adjourned to February 10, 2025, February 11, 2025, or to a later date that is convenient for the Court.

On November 20, 2024, the parties jointly requested that the Court adjourn the settlement conference scheduled for December 4, 2024, because neither party possessed the ocular coherence tomography (“OCT”) scans that were necessary to fully evaluate Plaintiff’s alleged eye injuries.¹ ECF No. 52. The Court granted the parties’ request and adjourned the conference to January 21, 2025. ECF No. 53. The Government has since served subpoenas on Plaintiff’s medical providers. The Government has received documents in response to its third party subpoenas, but has not yet received Plaintiff’s OCT scans. The Government has followed up with Plaintiff’s providers and hopes to receive the OCT scans in the next couple of weeks. In addition, Plaintiff’s IME is currently scheduled for January 15, 2025.² The Government would like to confer with its expert regarding Plaintiff’s IME and OCT scans before discussing settlement.

The Government therefore respectfully requests that the settlement conference on January 21, 2025, be adjourned to February 10, 2025, February 11, 2025, or to a later date that is convenient for the Court. This is the Government’s second request for an adjournment of the settlement conference. Plaintiff consents to the Government’s request and is also available on the listed dates.

¹ Plaintiff filed an amended complaint on October 31, 2024, ECF No. 50, and the Government filed its answer on November 14, 2024, ECF No. 51. Fact discovery is ongoing.

² The parties were not able to schedule Plaintiff’s IME for an earlier date, as Plaintiff is employed as a truck driver and has limited availability.

I thank the Court for its consideration of this request.

Respectfully,

EDWARD Y. KIM
Acting United States Attorney

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Counsel for Plaintiff
(via ECF)

The Government's request to adjourn the settlement conference scheduled for January 21, 2025, is GRANTED on consent. However, Magistrate Judge Aaron is not available on February 10 or 11, 2025. Accordingly, the parties shall, no later than January 17, 2025, send an email to Magistrate Judge Aaron's Chambers (Aaron_NYSDChambers@nysd.uscourts.gov) with three alternative dates when the parties and their counsel are available for an in-person settlement conference.

SO ORDERED.

Dated: January 10, 2025